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April 27, 2020

Mr. Mark N. Fox
Chairman, MHA Nation
404 Frontage Road
New Town, ND 58763
chairmanfox@mhanation.com

RE: Voting By Absentee Ballot Amidst COVID-19 Pandemic

Dear Chairman Fox,

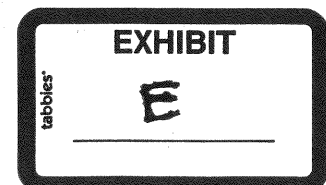
I'm putting my truth in your hands.

MHA tribal elections are very important to me. As a resident of Louisiana who provides volunteer care to a 90 year old disabled veteran, it is always difficult for me to journey up to Fort Berthold to cast my vote in tribal elections. It's an overwhelming financial cost for me (minimum of \$480 for professional care for the disabled veteran, \$480 for fuel, and \$300 for food and lodging). Even though the drive is long and the cost is overwhelming, it's a journey I make regularly to proudly cast my vote. I do this because my voice matters.

This year, however, due to the COVID-19 pandemic, I will be unable to travel cross country to vote in the upcoming tribal elections. Louisiana has travel restrictions, like many other places, to help stop the spread of COVID-19. The COVID-19 related death toll here in Louisiana far exceeds the number of our MHA enrollment. That's a fact. Many other enrolled tribal members also will not be able to return to the reservation to vote because of this global pandemic.

As such, this letter serves as a request to provide primary and general election absentee ballots to me and to all other TAT voters who will turn 18 by the September 22, 2020 primary election, regardless of where we reside. I feel as if it's time to act now while we are alive and well. Do the right thing, like you say you will, do this for all of our people.

On March 30, 2020, the MHA Tribal Business Council adopted mitigation measures in response to the COVID-19 pandemic. At that time, you indicated, "MHA TBC will use all the powers that we have as a Sovereign Nation and do whatever is necessary to help mitigate the effects of the virus on our community." (Exhibit A).



Page 2
April 27, 2020

In the interest of public health and safety and to support the preventative measures identified by you, MHA TBC, and Tribal Health Director Red Fox Sanchez (Exhibit B), it is essential that the MHA TBC and the Tribal Election Board suspend the operation of Chapter VI of the Tribal Election Ordinance – Procedures for Resident Voting By Absentee Ballot. Pursuant to the ordinance, absentee balloting is currently limited to tribal members under the following conditions:

- a. Absence due to duly scheduled work related travel;
- b. Hospitalization;
- c. Attending School where he/she is unable to travel to the Reservation on the day of election;
- d. Extreme physical disability where traveling is physically impossible (proof shall be required); or
- e. Service in the United States Armed Forces

(Chapter VI, Section 1(A)(1)(a)-(e), Tribal Election Ordinance). To maintain the COVID-19 mitigation measures recommended by tribal leadership, including the exercise of social distancing and limiting group gatherings to 5 people, you should provide absentee ballots to all enrolled tribal members over the age of 18, regardless of where they reside, not just to those identified as eligible for absentee ballots under the ordinance.

Voting by absentee ballot will enable tribal members to exercise their fundamental right to vote while practicing public health mitigating measures to control the spread of COVID-19 by community contact. Off reservation tribal members, like me, are unable to even attempt to return to the reservation to vote under our present circumstances. As such, to mitigate the effects of COVID-19 on MHA Nation, you should not only provide the absentee ballots, but you should also dispense with any notarized affidavit requirement attesting that the absentee voter is who he says he is. As an alternative, you could merely require the absentee voter to attest, under penalty of perjury, that he is who he says he is. Finally, the absentee ballots should be provided with pre-addressed, postage paid return mailers.

Please respond to my request to provide primary and general election absentee ballots to all TAT voters, regardless of where they reside, by May 8, 2020. If I do not receive your response by May 8, 2020, I will pursue absentee balloting amidst the COVID-19 pandemic through other avenues.

I thank you in advance for your thoughtful consideration of my request and for your leadership during this unprecedented public health crisis. Again, do the right thing and do this for all of our people.

Sincerely,
Vanessa Price